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OFFICIAL

PATENT  
(Docket No. IN-5455)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Keith SALTER et al.

Serial No.: 10/064,684

Filed: August 7, 2002

For: Acidic Reducer for Providing  
Increased Adhesion of a Two  
Component Polyurethane Primer to  
Substrates

Group Art Unit: 1711

Examiner: Umakant Rajguru

I hereby certify that the attached correspondence is being transmitted  
via facsimile addressed to Commissioner for Patents, PO BOX 1450,  
Alexandria, VA 22313-1450, on the date shown below to facsimile  
number 1-703-872-9306.

6-15-04

Date

Michael Morgan

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL SHEET

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CONDITIONAL PETITION FOR EXTENSION OF TIME

Applicant believes that no extension of time is required. This conditional petition of time is being made, however, to provide for the possibility that applicants have inadvertently overlooked the need for a petition for extension of time. In this event, please charge Deposit Account 23-3425 the necessary extension of time fees. This document is submitted in duplicate.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Director - U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account 23-3425 any fees necessary for entry of any of the above listed documents. This document is submitted in duplicate.

Respectfully submitted,

Michael F. Morgan, Esq. (Reg. No. 42,906)  
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BASF Corporation  
26701 Telegraph Road  
Southfield, MI 48034-2442

Date: June 15, 2004

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Michael MorganCommissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450**RESPONSE TO OFFICE ACTION**

In response to the Office Action mailed on April 15, 2004, Applicants respond through their attorney as follows.

**REMARKS**

The claims pending in the subject application are 1-43. Reconsideration of this application based on the Remarks presented herein is respectfully requested.

**35 U.S.C. §103 REJECTIONS**

Claims 1-6, 9-18, 21-29, 32-39, and 42-43 were rejected under 35 U.S.C. §103(a) as being unpatentable over EP385880 in view of United States Patent No. 5,221,584 to Nickel et al.

While Nickel '584 discloses that Lubrizol™ 2062 phosphated organic inhibitor can be included in the acrylic latex composition at column 11, line 65 to column 12, line 16, there is no disclosure or suggestion in Nickel '584 of adding the phosphated organic inhibitor to a two component polyurethane composition comprising a polyisocyanate and a polyol. Because Nickel

'584 lacks this disclosure, there is no motivation to combine Nickel '584 with EP385880. Without a motivation to combine EP385880 and Nickel '584, it is respectfully submitted that claims 1-6, 9-18, 21-29, 32-39, and 42-43 are patentable over EP385880.


Claims 7-8, 19-20, 31, and 40-41 were rejected under 35 U.S.C. §103(a) as being unpatentable over EP385880 in view of United States Patent No. 5,221,584 to Nickel et al. and further in view of United States Patent No. 6,649,673 to Browning et al. It is assumed that claim 30 should also be included here because of its similar subject matter.

From above, independent claims 1 and 25 are patentable over the cited references. Claims 7-8, 19-20, 30-31, and 40-41 depend from claim 1 or claim 25. Therefore, claims 7-8, 19-20, 30-31, and 40-41 are also patentable over the cited references.

Also, the solvents disclosed in Browning '673 are acetone, p-chlorobenzotrifluoride, t-butyl acetate, methyl isobutyl ketone, or methyl propyl ketone (column 3, lines 13-16). There is no disclosure or suggestion of using methyl ethyl ketone as a solvent. Methyl ethyl ketone is a blocking agent on the amine (column 3, lines 54-63). There is no disclosure of using a combination of acetone and methyl ethyl ketone as a solvent, and there is no disclosure or suggestion of the amount of acetone in the combination.

In view of the remarks contained above, Applicants respectfully request reconsideration of the application, withdrawal of the 35 USC §103 rejections, and request that a Formal Notice of Allowance be issued for claims 1-43. Should the Examiner have any questions about the above remarks, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

  
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Date: June 15, 2004